



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/790,644

03/01/2004

Peter O. Roach JR.

11126.105001

9770

7590

10/24/2005

Michael S. Pavento, Esq.
KING & SPALDING LLP
45th Floor
191 Peachtree Street, N.E.
Atlanta, GA 30303

EXAMINER

TRAN, CHUC

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/790,644

Applicant(s)

ROACH, PETER O.

Examiner

Chuc D. Tran

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-10,12,13,15-18,20-31,33-40,42 and 57-79 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-10,12,13,15-18,20-31,33-40,42 and 57-79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a response to the Applicant's amendment submitted on Aug 04, 2005.

In virtue of this amendment, amendments to the specification has been considered; claims 2, 5, 11, 14, 19, 32, 41, 43-56 are cancelled; claims 57-79 have been newly added; and thus, claims 1, 3-4, 6-10, 12-13, 15-18, 20-31, 33-40, 42 and 57-79 are now remaining active in the instant application.

Allowable Subject Matter

1. The indicated allowability of claims 13, 15-18, 20, 31, 33-40 and 42 are withdrawn in view of the newly discovered reference(s) to Clark et al (USP. 5,716,128) and Hartshorn (USP. 4,858,087). Rejections based on the newly cited reference(s) follow.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 3-4, 6-10, 12-13, 15-18, 20-31, 33-40, 42 and 57-79 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "100" and "101" in Fig. 1, 3, 5-8 have both been used to designate the "housing". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"

pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 3-4, 6-10, 12-13, 15-18, 20-31, 57-72 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1, 3-4, 6-10, 12-13, 15-18, 20-31, 57-72, line 1 the term “wireless network component” lacks proper antecedent in that it renders the claim language vague and indefinite. As is presented, the elements required in making up the referenced wireless network components are unknown.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 4, 6-10, 12-13, 15-18, 20-31, 34, 36-40, 42, 57-63, 66-72 and 75-79 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark et al (USP. 5,716,128).

Regarding claims 13, 21, 31, 57, 63 and 72, Clark et al disclose a wireless network component configured for being mounted to a fluorescent light In Fig. 1 comprising:

Art Unit: 2821

- a housing (10) containing the wireless network component (36) (Fig. 6);
 - one or more power coupling pin (30) protruding from one side of the housing and configured to be inserted into a receptacle within a fluorescent light fixture (12) that would otherwise receive one or more pin of a fluorescent lamp (Fig. 1);
 - one or more fluorescent lamp pin connector (60) located on an opposite side of the housing and electrically connected to the one or more power coupling pin (Fig. 7), wherein the fluorescent lamp pin connector is configured to receive the one or more one or more pin of the fluorescent lamp (Fig. 7);
 - a support tube (44) attached to at least a portion of the housing (Fig. 2); and
- wherein the support tube fits over the fluorescent lamp and attaches to the housing so as to attach the housing to the fluorescent lamp (Fig. 1 & 2).

Regarding claims 4, 15 and 34, Clark et al disclose that the support tube (44) includes joints (50, 52) that are designed to fit within corresponding grooves on the housing (Fig. 5).

Regarding claims 6-7, 17, 36-37, 66-67 and 75, Clark et al disclose that the support tube (44) is designed to dissipate heat generated by the fluorescent lamp (Col. 5, Line 52).

Regarding claims 8, 18, 38, 68 and 76, Clark et al disclose that the shape of the support tube (44) generally semi cylindrically or corresponds to the cross sectional shape of the fluorescent lamp (Fig. 4).

Regarding claims 9, 39, 69 and 77, Clark et al disclose that the support tube (44) is generally cylindrical in shape (Fig. 5).

Regarding claims 10, 40, 62, 70 and 78, Clark et al disclose that the support tube (44) is configured to be opened in order to insert the fluorescent lamp (Fig. 4).

Regarding claims 22, 58, Clark et al disclose that the one or more fluorescent lamp pin connector is electrically connected to the one or more power coupling pin via a power converter (98) internal to the housing (Fig. 11).

Regarding claims 23, 59, Clark et al disclose that the power converter (98) receives power from power source of the fluorescent light via the one or more power coupling pin (Fig. 7 & 11).

Regarding claims 24 and 25, Clark et al disclose that the power coupling pin (30, 32) (Fig. 6) and the fluorescent lamp pin connector (60, 62) are vertically or horizontally offset from each other (Fig. 7).

Regarding claims 28-30, 42, 62, Clark et al disclose that the housing (10) includes a recess channel for receiving, attaching and removing the fluorescent lamp (Fig. 6).

Regarding claims 12, 20, 26, 71 and 79, Clark et al disclose that at least a portion of the housing (10) includes a window to allow light emitted (Fig. 6).

Regarding claims 27, 60-61, Clark et al disclose that the housing (10) means for dissipating heat generated by the fluorescent lamp (Fig. 6).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 16, 35, 64 and 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al (USP. 5,716,128) in view of Hartshorn (USP. 4,858,087).

Regarding claims 1, 16, 35, 64 and 74, Clark et al disclose a wireless network component in Fig. 1 as set forth in the claims except the portion of the support tube is at least partially transparent. Hartshorn teach the fluorescent lighting system comprising the portion (62 and 63) of the support tube in (Hartshorn. Fig. 6) is at least partially transparent (Hartshorn. Col. 6, Line 3). Thus, It would have been obvious to one of ordinary skill in the art to modify Clark et al by applying the portion or window to the support tube as taught by Hartshorn. The ordinary artisan would have been motivated to modify Clark et al in the manner described above for the light emitted by the fluorescent lamp.

10. Claims 3, 33, 65 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al.

Regarding claims 3, 33, 65 and 73, Clark et al disclose a wireless network component in Fig. 1 as set forth in the claims except the housing is suspended below the fluorescent lamp when the fluorescent lamp is installed within the fluorescent light fixture. Thus, it would have been obvious to one of ordinary skill in the art to design the housing is suspended up or below the fluorescent lamp when the fluorescent lamp is installed within the fluorescent light fixture in order to allow light emitted by the fluorescent lamp and to dissipate the heat generated by the wireless network component (36) See (Clark et al. Col. 5, Line 53) (Fig. 6).

Citation of relevant prior art

Prior art Blackman (USP. 5,548,494) disclose light fixture.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuc D. Tran whose telephone number is (571) 272-1829. The examiner can normally be reached on M-F Flex hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TC
October 21, 2005


TUYET VO
PRIMARY EXAMINER